

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>ARDELL KENNEDY,</b>	<b>:</b>	<b>CIVIL ACTION</b>
<b>Plaintiff,</b>	<b>:</b>	
	<b>:</b>	
<b>v.</b>	<b>:</b>	
	<b>:</b>	
<b>CITY OF PHILADELPHIA, <i>et al.</i>,</b>	<b>:</b>	<b>NO. 17-2338</b>
<b>Defendants.</b>	<b>:</b>	

**ORDER**

AND NOW, this 26<sup>th</sup> day of January, 2018, upon consideration of Kennedy's Third Amended Complaint (ECF No. 18) and his Request for the Appointment of Counsel (ECF No. 19), it is ORDERED that:

1. The Third Amended Complaint is DISMISSED with prejudice for failure to state a claim, pursuant to 28 U.S.C. §1915(e)(2)(B)(ii), in accordance with the Court's Memorandum. Kennedy may not file a fourth amended complaint in this matter.
2. Kennedy's Request for the Appointment of Counsel is DENIED as moot.
3. The Clerk of Court shall CLOSE this case.

**BY THE COURT:**

*/s/ Gerald J. Pappert*

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GERALD J. PAPPERT, J.